

JS44

CIVIL COVER SHEET

(Rev. 07/85)

The JS44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court.

This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.

(SEE INSTRUCTIONS ON THE REVERSE OF THE FORM)

1(a) PLAINTIFFS Suzanne Foley, Ronald Drazin, and Ronald Sedlak, individually and on behalf of all others similarly situated, Plaintiffs (b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF: (EXCEPT IN U.S. PLAINTIFF CASES)	DEFENDANTS Horizon Blue Cross Blue Shield of New Jersey. COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT (Foreign Corporation) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.																					
(c) ATTORNEYS (FIRM NAME, ADDRESS AND TELEPHONE NUMBER) Bruce H. Nagel, Esq. (BHN-6765) Nagel Rice & Mazie, LLP 103 Eisenhower Parkway Roseland, New Jersey 07068 (973) 618-0400	ATTORNEYS (IF KNOWN)																					
II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY) <input type="checkbox"/> 1 US Government Plaintiff <input type="checkbox"/> Federal Question (U.S. Gov't Not a Party) <input type="checkbox"/> 2 US Government Defendant <input checked="" type="checkbox"/> Diversity* (indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Cases Only) (Place an X in one box for Plaintiff and one box for Defendant) <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">P</td> <td style="text-align: center;">D</td> <td></td> </tr> <tr> <td style="text-align: center;">x</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Citizen of this State</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Citizen of Another State</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Citizen/Subject of a Foreign Country</td> </tr> <tr> <td></td> <td style="text-align: center;">x</td> <td>Incorporated or Principal Place of Business in this State</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Incorporated & Principal Place of Business in Another State</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Foreign Nation</td> </tr> </table>	P	D		x	<input type="checkbox"/>	Citizen of this State	<input type="checkbox"/>	<input type="checkbox"/>	Citizen of Another State	<input type="checkbox"/>	<input type="checkbox"/>	Citizen/Subject of a Foreign Country		x	Incorporated or Principal Place of Business in this State		<input type="checkbox"/>	Incorporated & Principal Place of Business in Another State		<input type="checkbox"/>	Foreign Nation
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	<input type="checkbox"/>	Foreign Nation																				
IV. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE) (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY) 28 U.S.C. § 1332(a) and (d); class action																						
V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; padding: 5px; vertical-align: top;"> CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment and Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (excl. veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Other Product Liability REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property </td> <td style="width: 20%; padding: 5px; vertical-align: top;"> PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury CIVIL RIGHTS <input type="checkbox"/> 441 Voting </td> <td style="width: 20%; padding: 5px; vertical-align: top;"> TORTS Personal Injury <input type="checkbox"/> 362 Personal Injury-Med. 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VI. ORIGIN (PLACE AN x IN ONE BOX ONLY) <input checked="" type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify) <input type="checkbox"/> 6 Multidistrict Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment																						
VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION <input checked="" type="checkbox"/> DEMAND \$ in excess of \$75,000 + damages JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check Yes only if demanded in complaint:																						
VII. RELATED CASE(S) (See instructions): Beye v. Horizon, 2:06-cv-05337-FSH-PS																						
DATE: December 26, 2006 SIGNATURE OF ATTORNEY OF RECORD s/Bruce H. Nagel (Bruce H. Nagel 6765)																						